

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants' attorney wishes to thank the Examiner for the courtesies extended during the telephone conference of November 1, 2011. Applicants also wish to thank the Examiner for the notice that claims 1-10 are allowed.

Claims 11-21 and 23 have been objected to due to informalities. These informalities have been corrected.

Claims 11-21 and 23 stand rejected as allegedly being based upon a defective reissue oath under 35 U.S.C. 251. Applicants respectfully traverse but submit herewith a supplemental oath/declaration to expedite prosecution.

Claims 11-14, 15, 16-18, 19-21 and 23 stand rejected under 35 U.S.C. 251 as allegedly being an improper recapture of broadened claimed subject matter surrendered in the application for the patent upon which the present reissue is based. Although Applicant respectfully traverse, Applicants have amended claim 11 to include "by a video decoder" and have amended claim 11 to include claim 12. Applicants have nonetheless amended the independent claims.

As to claims 19-21 and 23, Applicants respectfully submit that the language "prior to..." was actually removed in an office action response in the parent case, namely the office action dated August 7, 2001. (See for example, prior claims 11, 21). Accordingly, there is no recapture that can apply since this language was not added to the issued claims. Applicants also respectfully submit that the video decoder language is also not the basis for allowance and as such, this is also respectfully submitted not to be recaptured since claims were again rejected under 35 U.S.C. § 103(a) and were allowed for other reasons and the amendment was not made

with respect to the 103 rejection. Nonetheless, in order to expedite prosecution, Applicants have amended claims and accordingly, Applicants respectfully request withdrawal of the rejection.

Applicants respectfully submit that the claims are now believed to be in condition for allowance and that a timely Notice of Allowance be issued in this case. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (312) 609-7599.

Respectfully submitted,

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